

NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL SCOTT
Director

October 30, 2019

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Re: Response to Immediate Action Notice of Violation, Docket # 2019-076
American Zinc Products
Mayse Warehouses, 660 Old Caroleen Road, Forest City, North Carolina

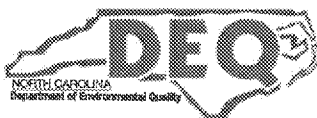
Mr. Tim Basilone, Vice President
American Zinc Products
3000 GSK Drive, Suite 201
Moon Township, PA 15108

SUBJECT: Response to Immediate Action Notice of Violation, Docket # 2019-076
660 Old Caroleen Road
Forest City, North Carolina 28043
Rutherford County
EPA ID NCS000002633

Dear Mr. Basilone,

On December 18, 1980, the State of North Carolina, Hazardous Waste Section (Section) was authorized to operate the State Resource Conservation and Recovery Act (RCRA) Hazardous Waste Program under the Solid Waste Management Act (Act), N.C.G.S. 130A, Article 9 and rules promulgated thereto at 15A NCAC 13A (Rules), in lieu of the Federal RCRA program.

This letter is a reply to your letter dated October 14, 2019 referred to as (the "Response") which was sent to this office in response to the Immediate Action Notice of Violation dated August 27, 2019 (the "IANOV"), issued to American Zinc Products LLC ("AZP") by the North Carolina Department of Environmental Quality Division of Waste Management ("NCDEQ"). The IANOV alleges violations of certain hazardous waste management requirements regarding the temporary staging prior to reclamation of Lead Concentrate at the Mayse Warehouses, located at 660 Old Caroleen Road in Forest City, North Carolina (the "Warehouses"). NCDEQ issued the IANOV following a compliance inspection conducted at



the Warehouses on June 20, 2019 by representatives of NCDEQ and U.S. Environmental Protection Agency, Region IV. The Lead Concentrate staged at the Warehouses was produced at a recycling facility in Palmerton, Pennsylvania which recycles electric arc furnace dust (the "Palmerton Facility"). The Palmerton Facility is owned by American Zinc Recycling Corp., an affiliate of AZP. On September 15, 2019, AZP provided to NCDEQ a Lead Concentrate Removal and Reclamation Plan (the "Plan") detailing the procedures and anticipated schedule for management, removal and shipment of the Lead Concentrate from the Warehouses for recycling at third-party reclamation facilities located in Asia.

After further review of the "Plan" and "Response" letters you sent, this office is requesting that additional information be provided detailing the procedures and schedule for management, removal and shipment of the Lead Concentrate from the Warehouses for recycling at third-party reclamation facilities located in Asia. Please provide the following information:

Provide the terms of a valid written contract, chain of contracts, or equivalent arrangements to be executed by the exporter of the Lead Concentrate and the foreign receiving facility, and specific responsibilities for each.

Contracts or equivalent arrangements specifying the name and EPA ID number of the company from where each export shipment of Lead Concentrate is initiated;

Each person, including their physical address, who will have physical custody of the Lead Concentrate;

The physical address of each location the Lead Concentrate will be stored, how it will be stored, and the extent of time it will be stored at that location;

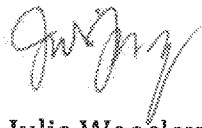
Each person, including their physical address, who will have legal control of the Lead Concentrate; and

If not already included in the contract(s), what assurance AZP has that the foreign receiving facility that performs recycling operations will send copies of the confirmation of recovery or disposal of the Lead Concentrate once those operations have been completed.

The manner by which the Lead Concentrate will be recycled or reclaimed, at the foreign receiving facility, and the intended final use of the recycled or reclaimed material.

For questions regarding proper waste procedures or questions concerning the issuance of this information request, you may contact Jeff Menzel at jeff.Menzel@ncdenr.gov or at (919) 270-1967.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Julie Woosley', is positioned above the typed name.

Julie Woosley, Chief
Hazardous Waste Section

cc: Central Files
EPA Region 4
Richard Concepcion
Sean Morris
Brent Burch
Rutherford County Emergency Management